

EXHIBIT A

CIRCUIT COURT FOR THE 20TH JUDICIAL CIRCUIT

State of Illinois)
County of St. Clair) S.S.

Case Number

17L 534

Amount Claimed

DATHAN BROOKS

VS

KARL STORZ ENDOSCOPY AMERICA, INC

Plaintiff(s)

Defendant(s)

Classification Prefix _____ Code _____ Nature of Action _____ Code _____

TO THE SHERIFF: SERVE THIS DEFENDANT AT:

Pltf. Atty. Jon E. Rosenstengel Code _____
Address 16 E. Main St. (618)
City Belleville, IL 62220 Phone 277-7740
Add. Pltf. Atty. _____ Code _____

NAME Karl Storz Endoscopy
America, a Corp.
Registered Agent:
ADDRESS Paracorp Inc.

901 S. 2nd #201

CITY & STATE

Springfield, IL 62704

SUMMONS COPY

To the above named defendant(s).....:

- ☐ A. You are hereby summoned and required to appear before this court at
(court location) _____ at _____ M. On _____ 20 _____
to answer the complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by
default may be taken against you for the relief asked in the complaint.
- ☒ B. You are hereby summoned and required to file an answer in this case or otherwise file your appear-
ance, in the office of the Clerk of this court, within 30 days after service of this summons, exclusive of the day
of service. If you fail to do so, judgment or decree by default may be taken against you for the relief prayed in
the complaint.

TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with
indorsement thereon of service and fees if any, immediately after service. In the event that paragraph A of this
summons is applicable this summons may not be served less than three days before the day of appearance. If
service cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date.

WITNESS

Kathleen Clark
Clerk of CourtBY DEPUTY: Quake ParkerDATE OF SERVICE: 9-27-2017(To be inserted by officer on copy left with defendant
or other person)

SEAL

NOTICE TO DEFENDANT IN SMALL CLAIMS UNDER \$15,000 - SEE REVERSE SIDE

CC-MR-1



NOTICE TO DEFENDANTS (Pursuant to Supreme Court Rule)

In a civil action for money (under \$15,000) in which the summons requires your appearance on a specified day, you may enter your appearance as follows:

1. You may enter your appearance prior to the time specified in the summons by filing a written appearance, answer or motion in person or by attorney at the office of the Circuit Clerk, #10 Public Square, Belleville, Illinois.
2. You may enter your appearance at the time and place specified in the summons by making your presence known to the Judge when your case is called.

When you appear in Court, the Judge will require you to enter your appearance in writing, if you have not already done so. Your written appearance, answer, or motion shall state with particularity the address where service of notice or papers may be made upon you or an attorney representing you.

Your case will be heard on the date set forth in the summons unless otherwise ordered by the Court. Only the Court can make this exception. Do not call upon the Court Clerk or the Sheriff's office if you feel you will be unable to be present at the time and place specified. Continuances can be granted only on the day set forth in the summons, and then only for good cause shown. You, or someone representing you, **MUST APPEAR IN PERSON** at the specified time and place and make such a request.

If you owe and desire to pay the claim of the plaintiff before the return date on the summons, notify the plaintiff or his attorney of your desire to do so. Request that he appear at the time specified and ask for the dismissal of the suit against you. Do not make such a request of the Court Clerk or the Sheriff, as only the Judge can dismiss a case, and, then only with a proper court order which must be entered in open Court.

IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS



DATHAN L. BROOKS

Plaintiff,

vs.

KARL STORZ ENDOSCOPY AMERICA Inc.,
a Corporation

Defendant.

NO: 17L534

COUNT I

Negligence

Now comes the plaintiff, Dathan L. Brooks, by his attorneys, Bonifield & Rosenstengel, P.C., and for his cause of action against the defendant, Karl Storz Endoscopy America Inc., respectfully represents unto the Court as follows:

1. The Plaintiff is a citizen of Madison County, Illinois.
2. The Defendant, Karl Storz Endoscopy America Inc. is a Corporation that does business in St. Clair County, Illinois and many of the duties performed by the plaintiff, Dathan L. Brooks in his employment with the defendant occurred in St. Clair County, Illinois.
3. On May 27, 2015 and for a period of time prior thereto the plaintiff was an employee of the defendant Karl Storz Endoscopy America Inc. and was in all respects performing the duties of his employment and while on the job on that date the plaintiff was involved in an automobile accident in which he was injured.
4. The injuries sustained by the plaintiff, Dathan L. Brooks rendered him unable to

perform his employment and he was temporarily totally disabled for a period of time.

5. As a result of that disability and the medical bills he incurred the plaintiff became entitled to and did apply for certain benefits under the Illinois Workers' Compensation Act.

6. The Illinois Workers' Compensation Act 820ILCS305/4(h) makes it unlawful for an employer to discharge or in other way discriminate against an employee because of the exercise of his or her rights under the Act and it became the duty of the defendant Karl Storz Endoscopy America Inc., as the employer to comply with the Act, but that duty notwithstanding the defendant discharged the plaintiff from its employment on September 23, 2015 as a result of him seeking rights under the Workers' Compensation Act.

7. As a direct and proximate result of the unlawful discharge on the part of the defendant the Plaintiff suffered injuries and damages as hereinafter setforth :

- a. He has suffered a loss of income and benefits in the past and is likely to suffer loss of income and benefits in the future;
- b. He has suffered mental anguish;
- c. He has suffered pain in the past and is likely to suffer pain in the future.

WHEREFORE, the plaintiff, Dathan L. Brooks, prays for judgment against the defendant, Karl Storz Endoscopy America, Inc., for a fair and just award in excess of Fifty Thousand Dollars (\$50,000) plus costs of this suit.

COUNT II

Wilful and Wanton Conduct

Now comes the plaintiff, Dathan L. Brooks, by his attorneys, Bonifield & Rosenstengel, P.C., and for his cause of action against the defendant, Karl Storz Endoscopy America Inc., hereinafter referred to as Karl Storz respectfully represents unto the Court as follows:

1. The Plaintiff is a citizen of Madison County, Illinois.

2. The Defendant, Karl Storz Endoscopy America Inc. is a Corporation that does business in St. Clair County, Illinois and many of the duties performed by the plaintiff, Dathan L. Brooks in his employment with the defendant occurred in St. Clair County, Illinois.

3. On May 27, 2015 and for a period of time prior thereto the plaintiff was an employee of the defendant Karl Storz Endoscopy America Inc. and was in all respects performing the duties of his employment and while on the job on that date the plaintiff was involved in an automobile accident in which he was injured.

4. The injuries sustained by the plaintiff, Dathan L. Brooks rendered him unable to perform his employment and he was temporarily totally disabled for a period of time.

5. As a result of that disability and the medical bills he incurred the plaintiff became entitled to and did apply for certain benefits under the Illinois Workers' Compensation Act.

6. The Illinois Workers' Compensation Act 820ILCS305/4(h) makes it unlawful for an employer to discharge or in other way discriminate against an employee because of the exercise of his or her rights under the Act and it became the duty of the defendant Karl Storz Endoscopy America Inc., as the employer to comply with the Act, but that duty notwithstanding the defendant discharged the plaintiff from its employment on September 23, 2015 as a result of him seeking rights under the Workers' Compensation Act.

7. As a direct and proximate result of the unlawful discharge on the part of the defendant he Plaintiff suffered injuries and damages as hereinafter set forth :

- a. He has suffered a loss of income and benefits in the past and is likely to suffer loss of income and benefits in the future;
- b. He has suffered mental anguish;

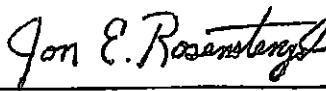
- c. He has suffered pain in the past and is likely to suffer pain in the future.

8. With full knowledge of the provisions of the Illinois Workers' Compensation Act the defendant knowingly wilfully, wantonly and with the disregard of welfare and rights of the plaintiff discharged the plaintiff from its employment by way of punishment for the continued pursuit of his rights under the Illinois Workers' Compensation Act.

9. As a direct and proximate result of the foregoing wilful and wanton act on the part of the defendant the Plaintiff has suffered damages as reflected above.

WHEREFORE, the plaintiff, Dathan L. Brooks, prays for judgment against the defendant, Karl Storz Endoscopy America, Inc., for a fair and just award as sought in Count I of this Complaint and a further sum by way of punitive damages in an amount in excess of Fifty Thousand Dollars (\$50,000) plus costs of this suit for this Count II

Dathan L. Brooks,



Jon E. Rosenstengel 06216770
Suspense Account 17

LAW OFFICES
Bonifield & Rosenstengel, P.C.
16 East Main Street
Belleville, IL 62220-1602
(618) 277-7740; 271-1414
Fax: 618-277-5155
jon@brlawfirm.com

PLAINTIFF REQUESTS CLERK TO ISSUE SUMMONS

DEFENDANT MAY BE SERVED AS FOLLOWS:

Karl Storz Endoscopy America., a Corporation
Registered Agent: Paracorp Inc.
901 S. 2nd #201
Springfield, IL 62704

IN THE CIRCUIT COURT
TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

DATHAN L. BROOKS

Plaintiff,

vs.

NO:

KARL STORZ ENDOSCOPY AMERICA Inc.,
a Corporation

Defendant.

AFFIDAVIT

This affidavit is made pursuant to Supreme Court Rule 222(b). Under the penalties of perjury as provided by §1-109 of the Code of Civil Procedure, the undersigned certifies that the money damages sought by plaintiff herein does exceed \$50,000.00.

Nathan L. Brooks

Dathan L. Brooks

LAW OFFICES
Bonifield and Rosenstengel, P.C.
16 East Main Street
Belleville, Illinois 62220
618 277-7740 Ph
618-244-5155 fax
jon@brlawfirm.com

PARACORP
Plus



Entity Name: KARL STORZ ENDOSCOPY-AMERICA, INC.

Jurisdiction: IL

Date: 10/2/2017

Receipt Method: Process Server

Case Number: 17L534

Plaintiff: DATHAN BROOKS

Defendant: KARL STORZ ENDOSCOPY-AMERICA, INC.

Document Type: Summons